



P-4004-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MATTHEW GUTTMAN
FOR: EDUCATIONAL GAME WITH DEMONSTRATED TASK
ACHIEVEMENT
SERIAL NO.: 10/663,543
FILED: September 17, 2003
EXAMINER: DMITRY SUHOL

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in reply to the Office Action of March 9, 2004.

Accompanying this reply is REVISED AMENDMENT PRACTICE which provides instructions for amending claim 1 and cancels claim 2.

The amendment clarifies three aspects of claim 1, namely,

1. that there are a first and second group each having five straps;
2. that a single strap of one group matches the color of one strap of the other group, and
3. the features/structure/functional relationships.

As to point 3, assume that a child requested to match the blue straps does so correctly. An hour later, or perhaps the next day, the child is again requested to match the blue straps and again does so correctly. The parent cannot be sure if the child comprehends what the appearance is of the color blue, or has merely duplicated the locations of the blue straps in making the interconnection. This is the shortcoming of the prior art.

In contrast in applicant's game assume a child correctly connects the blue straps. At this point there is an intervention of the parent in changing the locations of the blue straps, i.e., claim paragraph F. Then when the child again correctly connects the blue straps, the parent is warranted in assuming the child comprehends what the appearance is of the color blue because the location of the blue straps has been removed as a factor.

Reconsideration of the rejection of claim 1 as being unpatentable over Peat '623 in view of Kroll '687 is respectfully requested.

In Peat '623, the straps are permanently attached and the locations accordingly cannot be changed to implement claim paragraph F, and thus Peat '623 fails to teach more than what is acknowledged by the examiner.

Accordingly, favorable reconsideration of claim 1, as amended, is respectfully requested.

Respectfully,

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REVISED AMENDMENT PRACTICE

(currently amended)

1. An educational game characterized in providing a demonstration of task achievement comprising:
 - A. a game board of rectangular shape;
 - B. a first group of at least five straps each of a different selected color and a second group of at least five straps each of a different selected color but of the same different colors of said first group; groups of at least five straps having
 - C. first selected operative positions of said first group of said five straps in attached relation at first selected locations along one side ~~opposite sides~~ of said game board;
 - D. first selected operative positions of said second group of said five straps on an opposite side across from said one side of said game board;
 - ~~C. five matches respectively of a selected color of a strap of said first group with a strap of said second group;~~
 - ~~D.~~
 - E. five first cooperating interconnecting of means respectively attached to free ends of said straps effective upon interconnection of demonstrating by a user of said game a selection of said two interconnected straps one from said first group of at least five straps and the other from said second group of at least five straps;
 - ~~E.~~
 - F. second selected locations in replacement of said first selected locations of said first group of at least five straps on said one side of said game board and said

second group of at least five straps on said opposite side of said game board
~~groups of straps;~~ and

~~F.~~

G. subsequent five second cooperating interconnections of said cooperating interconnecting of means respectively attached to free ends of said straps effective upon interconnection of demonstrating by a user of said game of a selection of two interconnected straps one from said first group of at least five straps and the other from said second group of at least five straps;

whereby said first and second demonstrations ~~are likely of~~ if of the same color and
~~interconnecting means~~ demonstrate comprehension of color and not duplication of said first and second of board locations ~~because of the change of said board locations between said~~
~~demonstrations.~~

Claim 2. (cancelled)